

JAN 31 2019

AT GREENBELT  
CLERK, U.S. DISTRICT COURT  
DISTRICT OF MARYLAND

DEPUTY

BY

**ATTACHMENT A****STIPULATION OF FACTS**

*The undersigned parties stipulate and agree that if this case had proceeded to trial, this Office would have proven the following facts beyond a reasonable doubt. The undersigned parties also stipulate and agree that the following facts do not encompass all of the evidence that would have been presented had this matter proceeded to trial.*

**First Robbery**

On July 30, 2017, at approximately 11 a.m., Business 1 located in Greenbelt, Maryland, was robbed by the Defendant, **LEROY PERCELL BURRELL** ("BURRELL"). Among other things, Business 1 sold tobacco products and other materials that moved in interstate commerce before being offered for sale by Business 1 in Greenbelt, Maryland. At the time of the robbery, a single employee, Victim 1, was working in the store. Video surveillance of the store captured the robbery.

**BURRELL** wore a red hooded jacket with the hood pulled up, black pants, and distinctive red and black high-top sneakers. **BURRELL** entered through the front door of the store, locked the door behind him, and then proceeded directly to confront Victim 1, who was behind the counter. Victim 1 raised his hands and then opened the cash register, at this time not removing anything, before proceeding to the back of the store, followed closely by **BURRELL**. **BURRELL** displayed a handgun to Victim 1 and threatened to shoot Victim 1 if Victim 1 did not give **BURRELL** all the money. In the rear room, where there was no video, **BURRELL** made Victim 1 remove money from the safe and give it to **BURRELL**. Returning to the main store, Victim 1 then emptied the cash register and gave the money to **BURRELL**, who then left Business 1 through the rear door.

The robbery resulted in the theft of \$700 from the store (\$300 from the front register, \$400 from the safe in the rear of store) and \$80 from Victim 1.

**Second Robbery**

On August 10, 2017, at approximately 7:45 p.m., Business 2 located in Maryland City, Anne Arundel County, was robbed by two men, one of whom was **BURRELL**. Among other things, Business 2 sold tobacco products and other materials that moved in interstate commerce before being offered for sale by Business 2 in Maryland City, Maryland. Two employees, Victim 2 and Victim 3, were working at Business 2 at the time of the robbery. Video surveillance of the store captured the robbery from a variety of perspectives.

**BURRELL** wore a black hooded jacket, dark pants, and distinctive red and black high-top shoes. Upon entering Business 2, **BURRELL** immediately brandished a gun and pointed it at the head of Victim 2. Victim 2 then handed **BURRELL** cash from the register. **BURRELL** held Victim 2 at gunpoint throughout the time Victim 2 was at the register. **BURRELL** then forcefully pushed Victim 2 toward the back of the store, still at gunpoint.

**BURRELL**'s accomplice followed **BURRELL** into the store, pulled down a ski mask the accomplice was wearing, and then locked the front door. The accomplice then headed to the back of the store, where the accomplice confronted Victim 3, who was in an office at the back of the store. **BURRELL** and his accomplice then fled the store on foot through the same door they had entered. The robbery took approximately one minute. **BURRELL** and his accomplice stole an undetermined amount of money during the robbery.

#### Third Robbery

On November 3, 2017, at approximately 6:50 p.m., **BURRELL** again robbed Business 1 in Greenbelt, Maryland. At the time of the robbery, two employees of Business 1 were working, Victim 4 and Victim 5. Video surveillance of the store captured the robbery.

**BURRELL** wore a black hooded jacket with the hood pulled up around his head. Upon entering the store, **BURRELL** locked the front door and removed a pistol from his pocket. **BURRELL** then pulled back the slide of the pistol, ejecting a single round of Blazer S&W .40 caliber ammunition from the firearm. **BURRELL** then brandished the pistol, waving it and pointing it at Victim 4 and Victim 5. While Victim 4 was held at gunpoint, Victim 5 emptied the cash register and handed cash to **BURRELL**, who took the money and put it in his pocket. **BURRELL** knowingly used, carried, and brandished the .40 caliber semiautomatic firearm that he used to intimidate and threaten Victim 4 and Victim 5.

While Victim 5 took the money from the register, **BURRELL** handed Victim 4 handcuffs that were wrapped in a bright blue hand washcloth. Victim 4 took out the handcuffs and dropped the towel, and then placed the handcuffs on himself. Both the towel and handcuffs were left at the scene and recovered as evidence. **BURRELL** then motioned the two victims to the back room of the store. **BURRELL** and the two victims entered the back room. **BURRELL** ordered Victim 5 to open the safe in the backroom, and threatened Victim 5's life unless Victim 5 did so, but Victim 5 did not know the combination. **BURRELL** left through the rear door of the store on foot. **BURRELL** stole approximately \$1,900 from the register.

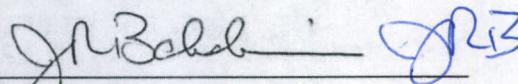
#### Search Warrant

On November 9, 2017, a search warrant was executed at **BURRELL**'s residence in Washington, D.C. **BURRELL** was encountered in the foyer of the apartment building and arrested pursuant to a Maryland state arrest warrant. Law enforcement officers recovered a firearm and ammunition from **BURRELL**'s person: a Sig Sauer, .40 caliber, semiautomatic pistol, loaded with 12 rounds of Blazer .40 S&W ammunition and with serial number PCM 115263. The following items were recovered from **BURRELL**'s apartment: a black jacket matching the jacket seen in the video of the August and November robberies; two blue washcloths matching the distinctive color and brand of the towel/washcloth recovered from the scene at the November robbery; two pairs of handcuffs; a pair of distinctive red and black high-top shoes matching those seen on the video of the July and August robberies; a red jacket matching the one seen in video footage of the July robbery; and various ammunition rounds.

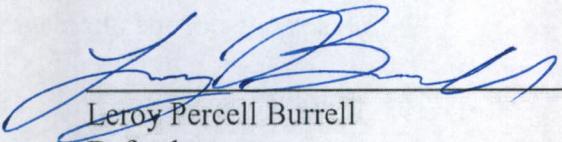
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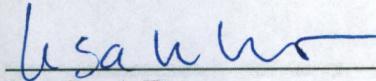
Prior to July 2017, **BURRELL** had been convicted of a crime punishable by more than one year of imprisonment, and his civil rights had not (and still have not) been restored. The Sig Sauer .40 caliber handgun and the Blazer S&W .40 caliber ammunition recovered from **BURRELL**'s person were manufactured outside of the District of Columbia and the State of Maryland. **BURRELL** knowingly possessed the firearm and ammunition recovered from his person.

SO STIPULATED:

  
\_\_\_\_\_  
Joseph R. Baldwin

Assistant United States Attorney

  
\_\_\_\_\_  
Leroy Percell Burrell  
Defendant

  
\_\_\_\_\_  
Lisa Lunt, Esq.

Counsel for Defendant